

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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In re: Bair Hugger Forced Air Warming  
Products Liability Litigation

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MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

*Rhoton, et al.*, 15-cv-4360-JNE-DTS  
*Lockwood*, 17-cv-0823-JNE-DTS  
*Connelly*, 17-cv-1084-JNE-DTS  
*Milam*, 16-cv-2125-JNE-DTS  
*Bloom*, 16-cv-2273-JNE-DTS  
*White*, 16-cv-2276-JNE-DTS  
*Johns*, 16-cv-4190-JNE-DTS  
*Oliver*, 16-cv-4247-JNE-DTS  
*Taylor*, 17-cv-0199-JNE-DTS  
*Wenzel*, 17-cv-4576-JNE-DTS  
*Hylas*, 17-cv-0967-JNE-DTS  
*Miles, et al.*, 17-cv-1235-JNE-DTS  
*Myers*, 17-cv-1327-JNE-DTS  
*Rangel, et al.*, 17-cv-1865-JNE-DTS  
*Ponder*, 17-cv-2666-JNE-DTS  
*Olsen, et al.*, 17-cv-3538-JNE-DTS  
*Weeks*, 17-cv-4527-JNE-DTS  
*Capone*, 17-cv-5274-JNE-DTS  
*Mencl*, 18-cv-0106-JNE-DTS  
*Davis*, 18-cv-0166-JNE-DTS  
*Ballaso*, 18-cv-0575-JNE-DTS  
*Gohl*, 18-cv-1571-JNE-DTS  
*Walters*, 18-cv-2764-JNE-DTS  
*Lovett*, 19-cv-0391-JNE-DTS

**DECLARATION OF BENJAMIN W.  
HULSE IN SUPPORT OF  
DEFENDANTS' NINTH MOTION  
TO DISMISS FOR FAILURE TO  
COMPLY WITH PRETRIAL  
ORDER NO. 23, FED. R. CIV. P.  
41(b), AND 25(a), OR FOR LACK OF  
STANDING**

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Under 28 U.S.C. § 1746, I, Benjamin W. Hulse, hereby declare as follows:

1. I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant")

(collectively “Defendants”) in this litigation. I submit this declaration in support of Defendants’ Ninth Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23, and Fed. R. Civ. P. 41(b) and 25(a), or for Lack of Standing. Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

2. Attached as Exhibit A is a copy of the obituary of plaintiff Yolanda Lockwood, available online at <http://www.frfh.net/obituary/yolanda-lockwood>.

3. Attached as Exhibit B is a copy of the obituary of plaintiff Gail Connelly, available online at <https://obits.mlive.com/OBITUARIES/SAGINAW/OBITUARY.ASPX?N=GAIL-C-CONNELLY&PID=189650968&FHID=10649>.

4. Attached as Exhibit C is a copy of the obituary of plaintiff Jeffie Gale Milam, available online at <https://www.serenityfuneralhomememphis.com/OBITUARIES/JEFFIE-GALE-MILAM?OBID=3926496#/OBITUARYINFO>.

5. Attached as Exhibit D is a copy of the obituary of plaintiff Stanley Bloom, available online at <https://jewishfunerals.com/service/stanley-bloom/>.

6. Attached as Exhibit E is a copy of the obituary of plaintiff Alma Louise White, available online at <https://www.legacy.com/OBITUARIES/HOUMATODAY/OBITUARY.ASPX?N=ALMA-LOUISE-SINGLETON-WHITE&PID=190462182>.

7. Attached as Exhibit F is a copy of the obituary of plaintiff James E. Johns, available online at <https://www.legacy.com/obituaries/name/james-johns-obituary?pid=191472728>.

8. Attached as Exhibit G is a copy of the obituary of plaintiff Thomas R. Oliver, available online at <https://www.osceolamemngds.com/OBITUARIES/THOMAS-OLIVER-3/#!/OBITUARY>.

9. Attached as Exhibit H is a copy of the obituary of plaintiff Irilla Myers, available at <https://mountcastle.net/obituary/irilla-priscilla-myers/>.

10. Attached as Exhibit I is a copy of the obituary of plaintiff Delores Miles, available at <https://www.josephattermanandsonfuneralhome.com/obituaries/Delores-Miles-2/#!/Obituary>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 3rd day of July, 2019.

Dated: July 3, 2019

Respectfully submitted,

*s/Benjamin W. Hulse*

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